

APPEAL CLOSED

U.S. District Court
Eastern District of Virginia (Richmond)
CRIMINAL DOCKET FOR CASE #: 96-CR-64-ALL

Filed: 06/04/96

USA v. Humphreys
Dkt # in US Court of Appeals : is :96- -04790

Case Assigned to: Judge Robert R. Merhige, Jr.

RICHARD ELLIOTT HUMPHREYS (1)
defendant
[term 10/04/96]

Russell Hill Roberts
[term 10/04/96]
[COR LD NTC ret]
Roberts, Ashby & Parrish
P.O. Box 7166
Fredericksburg, VA 22404
(703) 373-3500

Matthew N. Ott, Jr.
[term 10/04/96]
[COR LD NTC ret]
1209 E Cary Street
Richmond, VA 23219
(804) 783-1902

Defendant Assigned to: Judge Robert R. Merhige, Jr.

Pending Counts:

Disposition

18:1001 - False statements
(1)

IMPRISONMENT FOR 12 MONTHS AND
1 DAY; SUPERVISED RELEASE
FOR 3 YEARS; \$30,000.00 FINE
AND \$50.00 SPECIAL ASSESSMENT
(1)

18:1001 - False statements
(2 - 4)

DISMISSED ON MOTION OF THE
UNITED STATES
(2 - 4)

18:1505 - Obstruction of
agency proceedings
(5 - 8)

DISMISSED ON MOTION OF THE
UNITED STATES
(5 - 8)

Offense Level (opening): 4

Terminated Counts:

NONE

Docket as of November 21, 1996 9:10 am

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Complaints:

NONE

U. S. Attorneys:

M. Hannah Lauck
[COR ID NTC]
United States Attorney's Office
Main Street Centre
600 E. Main St
Ste 1800
Richmond, VA 23219
(804) 771-2186

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CLOSED

6/4/96 1 INDICTMENT as to Richard Elliott Humphreys (1) count(s)
1-4, 5-8 (dtho) [Entry date 06/05/96]

6/6/96 -- SUMMONS(ES) issued for Richard Elliott Humphreys Initial
Appearance set for 9:00 6/24/96 for Richard Elliott
Humphreys Arraignment set for 9:00 6/24/96 for Richard
Elliott Humphreys (dtho) [Entry date 06/06/96]

6/26/96 2 SUMMONS Returned Executed as to Richard Elliott Humphreys
(dtho) [Entry date 06/26/96]

7/10/96 -- Arraignment as to Richard Elliott Humphreys set for 9:00
7/15/96 for Richard Elliott Humphreys (walk)
[Entry date 07/10/96] [Edit date 07/16/96]

7/15/96 3 ARRAIGNMENT PROCEEDINGS: Merhige, J., G. Halasz, OCR.
Appearances: Merhige, J., G. Halasz, OCR. Appearances:
Deft with counsel; AUSA. Matter came on for first
appearance and Guilty plea of Deft on Ct. 1 of the
indictment. Plea Agreement and Statement of Facts filed in
open court. Deft formally arraigned and entered plea of
Guilty to Ct. 1 of the indictment. Court accepted plea.
Gov't summarized evidence. Statement of Facts adduced as
evidence. Judgment of the Court: Deft Guilty as charged in
Ct. 1 of the indictment. Presentence Report ordered.
Sentencing Guideline Order executed, entered and filed in
open court. Deft sworn and placed on \$50,000.00 PR bond on
the condition that he report as directed. Case continued to
10/04/96 at 8:30 a.m. for sentencing proceedings. (:21)
(walk) [Entry date 07/16/96]

7/15/96 -- Initial appearance as to Richard Elliott Humphreys held
before Judge Robert R. Merhige Jr. (Gil Halasz, OCR) USA
appeared through: M. Hannah Lauck, AUSA Dft(s) appeared
through: Matthew N. Ott, Esquire (Defendant informed of
rights.) (walk) [Entry date 07/16/96]
[Edit date 07/16/96]

7/15/96 -- Arraignment as to Richard Elliott Humphreys held before
Judge Robert R. Merhige Jr. (Gil Halasz, OCR) USA
appeared through: M. Hannah Lauck, AUSA Dft(s) appeared
through: Matthew N. Ott, Esquire (walk)
[Entry date 07/16/96]

7/15/96 -- PLEA entered by Richard Elliott Humphreys . Court accepts
plea. by Richard Elliott Humphreys Guilty: Richard Elliott
Humphreys (1) count(s) 1 (walk) [Entry date 07/16/96]

7/15/96 -- Plea Agreement Hearing as to Richard Elliott Humphreys
held before Judge Robert R. Merhige Jr. (Gil Halasz, OCR)
USA appeared through: M. Hannah Lauck, AUSA Dft(s)
appeared through: Matthew N. Lott, Esquire (walk)
[Entry date 07/16/96]

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7/15/96 4 Plea Agreement as to Richard Elliott Humphreys (walk) CLOSED
[Entry date 07/16/96]

7/15/96 5 STATEMENT OF FACTS as to Richard Elliott Humphreys (walk)
[Entry date 07/16/96]

7/15/96 6 ORDER for sentencing guidelines as to Richard Elliott
Humphreys (Signed by Judge Robert R. Merhige Jr.) (walk)
[Entry date 07/16/96]

7/15/96 -- Sentencing set for 8:30 10/4/96 for Richard Elliott
Humphreys Richard Elliott Humphreys (1) count(s) 1 (walk)
[Entry date 07/16/96]

7/15/96 7 ORDER Setting Conditions of Release as to Richard Elliott
Humphreys (Signed by Judge Robert R. Merhige Jr.) (walk)
[Entry date 07/16/96]

9/4/96 -- Sentencing set for 9:00 10/3/96 for Richard Elliott
Humphreys Richard Elliott Humphreys (1) count(s) 1 (walk)
[Entry date 09/04/96]

9/16/96 8 POSITION with Respect to Sentencing Factors by Richard
Elliott Humphreys (lqui) [Entry date 09/16/96]

9/23/96 9 SECOND POSITION with Respect to Sentencing Factors by
Richard Elliott Humphreys (lqui) [Entry date 09/23/96]

9/26/96 10 SENTENCING MEMORANDUM by Richard Elliott Humphreys as to
Richard Elliott Humphreys (walk) [Entry date 09/26/96]

10/2/96 -- Sentencing reset for 9:30 10/4/96 for Richard Elliott
Humphreys Richard Elliott Humphreys (1) count(s) 1 (walk)
[Entry date 10/02/96]

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- 10/4/96 11 SENTENCING PROCEEDINGS: Merhige, J., G. Halasz, OCR. CLOSED
Appearances: Deft with counsel; AUSA. Matter came on for sentencing of Deft under the Guidelines Act on Ct. 1 of the Indictment. Deft's objections to the presentence report noted for the record and responded to by Gov't. Deft adduced evidence; rested. Evidence concluded. Findings of Fact and Conclusions of Law stated from the bench. Deft's objections; overruled by the Court. Sentencing statements made by Counsel for Deft and Deft. The Court offered Counsel for Deft the opportunity to research whether or not it can deviate from the sentence it is about to impose. Sentence Imposed: Deft committed to BP for 12 months and 1 day. Deft shall serve a term of supervised release for three years. Within 72 hours of his release from confinement, Deft shall report in person to the probation office in the district to which he is released. The Court recommends that Deft be confined in an institution close to his present residence. While on supervised release: (1) Deft shall not commit any Federal, State or local crimes; (2) Deft shall not possess a firearm or other dangerous device; (3) Deft shall not possess controlled substances; and (4) Deft shall comply with the standard conditions of supervised release. Special conditions of supervised release: (1) Deft shall serve 200 hours of community service work, ten of which shall be performed each month; and (2) Deft shall pay a fine to the USA in the amount of \$30,000.00 immediately. Deft shall pay \$50.00 special assessment immediately. Deft advised of right of appeal. The Court directed that Deft shall voluntarily surrender at the designated institution on 11/04/96 between 10:00 a.m. and NOON. The Court directed Deft to report to the U.S. Marshal's office on November 4th, if a designation has not been made. Until such time, Deft is continued on the same PR bond. Govt's motion to dismiss Cts. 2-8 of the indictment heard and so-ordered by the Court. (:50) (walk) [Entry date 10/04/96] [Edit date 10/04/96]
- 10/4/96 -- Sentencing held before Judge Robert R. Merhige Jr. (Gil Halasz, OCR) USA appeared through: M. Hannah Lauck, AUSA Dft(s) appeared through: Ott & Roberts Richard Elliott Humphreys (1) count(s) 1 (walk) [Entry date 10/04/96]
- 10/4/96 12 JUDGMENT Richard Elliott Humphreys (1) count(s) 1. IMPRISONMENT FOR 12 MONTHS AND 1 DAY; SUPERVISED RELEASE FOR 3 YEARS; \$30,000.00 FINE AND \$50.00 SPECIAL ASSESSMENT , Richard Elliott Humphreys (1) count(s) 2-4, 5 -8 . DISMISSED ON MOTION OF THE UNITED STATES (Signed by Judge Robert R. Merhige Jr.) party Richard Elliott Humphreys (walk) [Entry date 10/04/96]
- 10/7/96 13 MOTION by Richard Elliott Humphreys for Reconsideration of [12-1] judgment order (dtho) [Entry date 10/10/96]